

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- March 22, 1967

Appeal No. 9127      Giant Food Company, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 28, 1967.

ORDERED:

That the appeal for permission to provide accessory parking for a period of one year, lot 806, square 175, at 2001-2005 - 17th Street, NW., to serve Cherner Motor Company located at 1781 Florida Avenue, and for variance from Section 7404.11 requiring parking areas to be paved, be denied.

From the records and evidence adduced at the public hearing, the Board finds the following facts:

1. Lot 806 is owned by Giant Food Company, and the Cherner Motor Company proposes to lease the lot for the storage of automobiles awaiting service.
2. The lot is located in a C-2 District and is now partially surfaced.
3. The Giant Food Company intends to dispose of the lot and is willing to grant the Cherner Motor Company only a short term lease. Therefore, the Cherner Motor Company wishes to avoid expending funds to surface the lot for an indefinite period of time.
4. The Department of Highways and Traffic offered no objection to the granting of the special exception as requested.
5. There was no objection at the hearing to the granting of this appeal.

OPINION:

In the opinion of the Board, a special exception for accessory parking should be granted only when the Board is convinced that the proposed use will not adversely affect the health, safety and general welfare of the community. It is also the opinion of the Board that the requirement to pave a parking lot was placed in the Zoning Regulations for the benefit of the community and we have difficulty approving a proposed parking lot without surfacing; for to do so, would impair the intent and purpose of the Zoning Regulations.